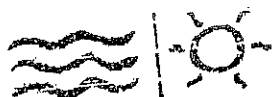


Dec 09 04 05:24p

ID Dept. of Water Resource

KARL



**PARADISE
SPRINGS FARM**
Teton Valley, Idaho

Post-it® Fax Note	7671	Date	12/9	# of pages	2
To	Ron Carlson				
From	Dennis Dunn				
Co.					
Phone #					
Fax #					

RECEIVED

DEC - 9 2004

DEPARTMENT OF
WATER RESOURCES

11/22/04

Mr. Karl Dreher
IDWR
1301 N Orchard St.
Boise, ID 83706

Dear Mr. Dreher,

Recently, Trees Inc, owners of junior priority groundwater right #22-2280E, drilled a 12" casing to replace their 6" well casing. This enlargement and change of point of diversion was not advertised, but simply permitted by Idaho Department of Water Resources.

I formally request a hearing to determine whether these actions will further injure my right, #22-0405, which I take from Paradise Springs, Teton County, Idaho.

As shown in the report, this well is clearly within the Paradise Springs response zone. Further, I have been able to detect the negative influence of the original 6" casing using the measuring equipment in the Springs, and so I expect to detect a larger negative influence with a 12" casing.

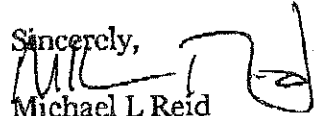
The original 6" casing was drilled and used unauthorized until transfer of 22-2280B codified the right of Trees, Inc., to pump their water from this point of diversion. At that time I strongly considered protesting the transfer, but I was shown clearly that the quantity of water pumped from a 6" casing could not equal 0.53cfs, and I would therefore have a difficult time proving additional harm without years of study. I do not believe I will have this same difficulty with a 12" casing and after such years of study, and I now ask for protection of my senior surface right and a hearing.

Trees, Inc. uses mostly drip irrigation so it is impossible to visually assess the amount of water being used; however, since they moved in there has been a pond at the low point on their property that appears to come from over-saturation of the soil due to excessive watering. The original Cedron well was only used in July for 2nd crop hay and barley from its inception through 1999. Trees, Inc. dug their 6" casing because they could not get enough water for their extensive tree operation from the existing rotation system of Cedron Irrigation. Trees, Inc. use their well every day from April to November, making the 6" well an acre-foot enlargement of the Cedron Irrigation water use to begin with, much less what may happen with 12". Trees, Inc., is currently watering (today) even though our irrigation season officially ends October 15th. Trees, Inc., has abandoned any additional water outside of their 6" casing since they pumped this

6" casing for 5 years, and that amount of water has obviously been sufficient to weather the worst drought in recent memory.

These issues and more provide ample cause for a hearing unless the Director will summarily agree to the installation of a proper water measuring device on the well and that Trees, Inc., has abandoned any extra flow a 12" casing would provide. If you deny my request for a hearing, please send me notification of your decision.

Sincerely,


Michael L Reid

CC: Trees, Inc., Ronald Carlson, Dennis Dunn